

PLANNING COMMISSION AGENDA
CITY OF NEWPORT BEACH
COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD
Thursday, July 21, 2011
Regular Meeting – 6:30 p.m.

CHARLES UNSWORTH
Chair

MICHAEL TOERGE
Vice Chair

BRADLEY HILLGREN

ROBERT HAWKINS

FRED AMERI

KORY KRAMER

JAY MYERS

Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

KIMBERLY BRANDT, Community Development Director

JAMES CAMPBELL, Principal Planner

LEONIE MULVIHILL, Assistant City Attorney

GREGG RAMIREZ, Senior Planner

TONY BRINE, City Traffic Engineer

JAIME MURILLO, Associate Planner

JAY GARCIA, Senior Planner

MARLENE BURNS, Administrative Assistant

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. Staff reports or other written documentation have been prepared for each item of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200. The agendas, minutes and staff reports are also available on the City's web site at: <http://www.newportbeachca.gov>.

This committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or lbrown@newportbeachca.gov).

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

NEWPORT BEACH PLANNING COMMISSION AGENDA
Council Chambers – 3300 Newport Boulevard
Thursday, July 21, 2011
REGULAR MEETING
6:30 p.m.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. PUBLIC COMMENTS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three minutes. Before speaking, please state your name for the record and print your name on the tablet provided at the podium.

- E. REQUEST FOR CONTINUANCES**
- F. CONSENT ITEMS**

ITEM NO. 1 Minutes of June 23, 2011

ACTION: Approve and file.

ITEM NO. 2 Minutes of July 7, 2011

ACTION: Approve and file.

G. PUBLIC HEARING ITEMS

ALL TESTIMONY GIVEN BEFORE THE PLANNING COMMISSION IS RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE MINUTES ON ALL ITEMS. (Red light signifies when three minutes are up; yellow light signifies that the speaker has one minute left for summation.) Please print only your name on the pad that is provided at the podium.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Community Development Department, Planning Division located at 3300 Newport Boulevard, during normal business hours.

ITEM NO. 3 Bowman Variance (PA2011-099)
403 Jasmine Avenue

SUMMARY: Request for approval of a variance to allow the construction of a 6-foot-high deck and 42-inch-high guardrail (9-foot-6-inch total height) that would encroach 5 feet into the required 5-foot rear alley setback. The alley is unimproved and is not utilized for vehicular access.

CEQA

COMPLIANCE: If the project is approved, the project is categorically exempt under Section 15303, of the California Environmental Quality Act (CEQA) Guidelines - Class 3 (New Construction). This exemption allows for the construction of apartments, duplexes, and similar structures designed for no more than six dwelling units. The subject deck is accessory to the two-unit residential condominium structure currently under construction.

If denied, projects which a public agency rejects or disapproves are not subject to the California Environmental Quality Act ("CEQA") review, pursuant to Section 15270 of the CEQA Guidelines.

- ACTION:**
- 1) Conduct a public hearing; and
 - 2) Adopt Resolution Adopt draft resolution approving Variance No. VA2011-008, subject to findings and conditions.

ITEM NO. 4 Monrovia Ave Amendments (PA2011-082) and (PA2011-105)
1537 Monrovia Avenue and 1539 Monrovia Avenue

SUMMARY: Amendments to the General Plan and Zoning Map to change the designation of the subject properties from Multi-Unit Residential [(RM (2420)] to IG 0.75 FAR (General Industrial) land use designations; and to change the zoning designation from Multi-Unit Residential (RM) to Industrial 0.75 FAR (IG 0.75) zoning district. The amendments were initiated by the property owners who seek to continue the existing nonconforming industrial uses of the properties. The properties are currently developed with a light industrial use buildings, and no new land uses or development is proposed at this time.

CEQA COMPLIANCE: The proposed amendments are exempt since they do not entail any significant alteration to the subject property and will bring the General Plan Land Use and Zoning District designations consistent with the present use of the subject property. The sites are presently developed and no development is proposed at this time for either property involved, however, future development of the existing property and structures consistent with the proposed IG designation would be categorically exempt under Section 15302 of the California Environmental Quality Act (CEQA) Guidelines – Class 2 (Replacement or Reconstruction).

- ACTION:**
- 1) Conduct a public hearing; and
 - 2) Adopt Resolution No. ____ (Attachment No. PC 1) and attached Exhibits recommending the City Council:
 - Approve General Plan Amendment No. GP2011-005; and
 - Approve Code Amendment No. CA2011-008.
 - 3) Adopt Resolution No. ____ (Attachment No. PC 2) and attached Exhibits recommending the City Council:
 - Approve General Plan Amendment No GP2011-006;
 - Approve Code Amendment No. CA2011-009.

H. NEW BUSINESS

I. STAFF AND COMMISSIONER ITEMS

ITEM NO. 5 Community Development Director's report.

ITEM NO. 6 Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report.

ITEM NO. 7 Request for excused absences.

ADJOURNMENT